

City of Horseshoe Bay

BUILDING CODE ORDINANCE

ORDINANCE NO. **ORD 06-06-06B**

AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS AMENDING ORDINANCE NO. 06-04-18E, BUILDING CODE ORDINANCE, ADOPTED APRIL 18, 2006, SECTION 8.1., CORRECTING AN ERROR AND CLARIFYING THAT THE CITY HAS ADOPTED THE 2005 EDITION OF THE NATIONAL ELECTRICAL CODE REGULATING AND GOVERNING ALL ELECTRICAL CONSTRUCTION APPLICATIONS; AND PROVIDING FOR SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING

WHEREAS, the City Council of the City of Horseshoe Bay (City Council) seeks to provide for the safe and orderly development of property within its corporate limits and extraterritorial jurisdiction; and

WHEREAS, the City Council finds that poorly constructed or maintained buildings constitute a nuisance and threat to the public health, safety and welfare; and

WHEREAS, the City Council seeks to protect the citizens of Horseshoe Bay from conditions hazardous to life or property in the occupancy of buildings and premises; and

WHEREAS, the City Council finds it to be in the best interest of the public to provide for a building codes governing and regulating residential and non-residential buildings and structures within the City of Horseshoe Bay (City); and

WHEREAS, the City Council is authorized to regulate construction and prohibit nuisances pursuant to the City's general police powers and Texas Local Government Code Chapters 51, 54 and 217; and

WHEREAS, pursuant to Texas Local Government Code Chapter 214 the City Council is authorized to establish procedures to adopt certain building codes, establish local amendments to such codes, and provide for the administration and enforcement of the codes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

2. ENACTMENT

Ordinance No. 06-04-18E, Building Code Ordinance, Section 8.1., Code Adopted, is hereby amended so as to read as follows:

8.1. Code Adopted

The City hereby adopts a certain document, one (1) copy of which is on file in the office of the City Secretary, being marked and designated as the 2005 edition of the “National Electrical Code,” as may be amended. Such document, as may be amended, is hereby adopted as the “Electrical Code” of the City, and as such shall apply to all electrical construction applications. The City Council may establish procedures for the administration and enforcement of the Electrical Code, and may adopt local amendments to the National Electrical Code.

3. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.

4. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

5. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

6. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

PASSED AND APPROVED on this 6th day of June, 2006 by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

Robert W. Lambert, Mayor

ATTEST:

Toni Vanderburg, City Secretary